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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,103	01/26/2006	Shihe Xu	DC5160PCT1	9443
137 7590 05/29/2009 DOW CORNING CORPORATION CO1232 2200 W. SALZBURG ROAD P.O. BOX 994 MIDLAND, MI 48686-0994				
EXAMINER				
LEE, JAE				
ART UNIT		PAPER NUMBER		
2895				
NOTIFICATION DATE		DELIVERY MODE		
05/29/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents.admin@dowcorning.com

Office Action Summary

Application No.

10/566,103

Applicant(s)

XU, SHIHE

Examiner

JAE LEE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

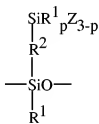
Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION***Response to Arguments***

1. Applicant's arguments filed 03/19/2009 have been fully considered but they are not persuasive.

Applicant contends that the primary reference Hohle et al. does not contain applicant's siloxane unit having the formula:



Examiner agrees with applicant that the primary reference does not teach the applicant's siloxane unit. Therefore, examiner utilized a secondary reference Couillard et al. which teaches the deficiency with a suggestion or motivation wherein the silanes contain reactive functionality such as methoxysilanes and ethoxysilanes, whereby such silanes are typically used to form siloxane polymers (see ¶26, lines 7-14).

Claim Rejections - 35 USC § 103

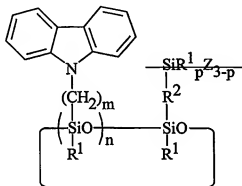
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. **Claims 1-4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hohle et al. (C. Hohle, P. Strohiregl, "Bifunctional Cyclosiloxanes with

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Photorefractive Properties", SPIE Conference on Second-Order Organic

Nonlinear Optics II, July 1999, pages 353-358) in view of Couillard et al. (Pub No.US 2005/0011434 A1, hereinafter Couillard et al.).

With regards to **claim 1**, Hohle et al. teaches a curable carbazoyl-functional cyclosiloxane having the formula:



wherein R1 is C1 to C10 hydrocarbonyl free of aliphatic unsaturation; R2 is -CH2-CHR3- or -CH2-CHR3-Y-, wherein Y is a divalent organic group and R3 is R1 or -H; Z is a hydrolysable group; m is an integer from 2 to 10; n is 2, 3, 4, 5, or 6; and p is 0 or 1 (see pg. 355, Azo-CSX 3 used).

Hohle et al., however, does not teach having a $\text{SiR}^1_p\text{Z}_{(3-p)}$ attached to the R^2 group.

In the same field of endeavor, Couillard et al. teaches a system wherein the silanes would contain or be modified to contain reactive functionality such as methoxysilanes and ethoxysilanes, whereby such alkoxy silanes or trihalo silanes are typically used to form the siloxane polymers (see ¶26, lines 7-14).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate a silane into the end of

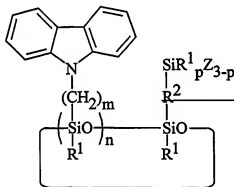
the chain to form a functionalized group for further reaction in forming

conventional siloxanes as taught by Couillard et al.

With regards to **claim 2**, Hohle et al. teaches the curable carbazoyl-functional cyclosiloxane according to **claim 1**, wherein n has value of 3,4, or 5 (see page 355).

With regards to **claim 3**, Hohle et al. teaches a silicone composition comprising:

(A) a curable carbazoyl-functional cyclosiloxane having the formula:



wherein R1 is C1 to C10 hydrocarbonyl free of aliphatic unsaturation; R2 is -CH₂-CHR₃- or -CH₂-CHR₃-Y-, wherein Y is a divalent organic group and R₃ is R₁ or -H; Z is a hydrolysable group; m is an integer from 2 to 10; n is 2, 3, 4, 5, or 6; and p is 0 or 1 (see pg. 355, Azo-CSX 3 used).

(B) a condensation catalyst (see page 355, Pt-catalyst is also classified as a “condensation catalyst”); and

(C) an organic solvent (see page 355, organic solvent toluene used).

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Hohle et al., however, does not teach having a $\text{SiR}^1_{\text{pZ}_{(3-\text{p})}}$ attached to the R^2 group.

In the same field of endeavor, Couillard et al. teaches a system wherein the silanes would contain or be modified to contain reactive functionality such as methoxysilanes and ethoxysilanes, whereby such alkoxy silanes or trihalo silanes are typically used to form the siloxane polymers (see ¶26, lines 7-14).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate a silane into the end of the chain to form a functionalized group for further reaction in forming conventional siloxanes as taught by Couillard et al.

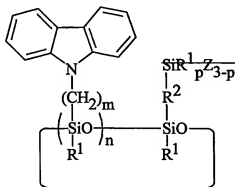
With regards to **claim 4**, Couillard et al. teaches the silicone composition according to claim 3, wherein p has a value of 1, and further comprising a cross-linking agent having the formula R4tSiZ4.t , wherein R4 is C1 to C8 hydrocarbyl or halogen-substituted hydrocarbyl, Z is a hydrolysable group, and t is 0 or 1 (see ¶26, SiH_4 utilized).

4. **Claims 5 and 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hohle et al., in view of Couillard et al., and further in view of Wu et al. (Pub No. US 2005/0040392 A1, hereinafter Wu et al.) and further in view of Kitano et al. (Pub No. US 2003/0211358 A1, hereinafter Kitano et al.).

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With regards to **claim 5**, Hohle et al. teaches a silicone composition comprising:

(A) a curable carbazoyl-functional cyclosiloxane having the formula:

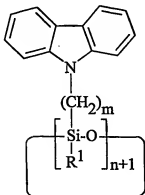


wherein R1 is C1 to C10 hydrocarbonyl free of aliphatic unsaturation; R2 is -CH2-CHR3- or -CH2-CHR3-Y-, wherein Y is a divalent organic group and R3 is R1 or -H; Z is a hydrolysable group; m is an integer from 2 to 10; n is 2, 3, 4, 5, or 6; and p is 0 or 1 (see pg. 355, Azo-CSX 3 used).

(B) a condensation catalyst (see page 355, Pt-catalyst is also classified as a "condensation catalyst"); and

(C) an organic solvent (see page 355, organic solvent toluene used).

At least one carbazoyl-functional cyclosiloxane having the formula:



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wherein R1 is C1 to C10 hydrocarbly free of aliphatic unsaturation, m is an integer from 2 to 10, and n is 2, 3, 4, 5, or 6 (see pg. 355); and

Hohle et al., however, does not teach having a $\text{SiR}^1_{\text{pZ}(3-\text{p})}$ attached to the R^2 group.

In the same field of endeavor, Couillard et al. teaches a system wherein the silanes would contain or be modified to contain reactive functionality such as methoxysilanes and ethoxysilanes, whereby such alkoxy silanes or trihalo silanes are typically used to form the siloxane polymers (see ¶26, lines 7-14).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate a silane into the end of the chain to form a functionalized group for further reaction in forming conventional siloxanes as taught by Couillard et al.

Hohle et al. also does not teach:

A substrate having a first opposing surface and a second opposing surface;

A first electrode layer overlying the first opposing surface;

A light-emitting element overlying the first electrode layer, the light emitting element comprising:

A hole transport layer

A second electrode layer overlying the light-emitting element; and

An electron transport layer, wherein the hole transport layer and the electron transport layer lie directly on one another, and one of the hole transport layer and the electron transport layer comprise a carbazoyl-functional

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polysiloxane selected from a cured carbazolyl functional polysiloxane prepared by curing.

In the same field of endeavor, Wu et al. teaches the aforementioned limitations (see Fig. 1).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to produce an OLED with the specific structure aforementioned since it is conventional and well known in the art which enables the practitioner in the art to produce such a device.

Hohle et al. also does not teach that one of the hole transporting layer and the electron transporting layer comprises a carbazolyl-functional polysiloxane.

In the same field of endeavor, Kitano et al. teaches how a hole transporting layer can be comprised of polysiloxane having a carbazole group (see ¶9).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate a carbazolyl functional polysiloxane as the hole transporting layer since Kitano et al. has enabled the practitioner in the art to design such a device.

With regards to **claim 6**, Kitano et al. teaches the organic light emitting diode according to **claim 5**, wherein the hole transport layer is a carbazolyl-functional polysiloxane (see ¶9).

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5. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hohle et al., Couillard et al., Wu et al., and Kitano et al. as applied to **claim 5** above, and further in view of Zhu et al. (Pub No. US 2004/0043313 A1, hereinafter Zhu et al.).

With regards to **claim 7**, Kitano et al. teaches the how an electron transport layer may be carbazole derivatives which one of ordinary skill in the art can include polysiloxane (see ¶134).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include a carbazole derivative such as a carbazoyl based polysiloxane since Zhu et al. enables the practitioner in the art to produce such a device by using a carbazole derivative.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAE LEE whose telephone number is (571)270-1224. The examiner can normally be reached on Monday - Friday, 7:30 a.m. - 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Richards can be reached on 571-272-1736. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jae Lee/
Examiner, Art Unit 2895

JML

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/N. Drew Richards/

Supervisory Patent Examiner, Art Unit 2895